



**CITY OF DULUTH**  
Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197  
Phone: 218/730.5580 Fax: 218/723-3559

## STAFF REPORT

<b>File Number</b>	PL 13-144		<b>Contact</b>	Steven Robertson , (218) 730-5295	
<b>Application Type</b>	Special Use Permit, Preschool		<b>Planning Commission Date</b>	December 10, 2013	
<b>Deadline for Action</b>	<b>Application Date</b>	October 18, 2013	<b>60 Days</b>	December 17, 2013	
	<b>Date Extension Letter Mailed</b>	November 19, 2013	<b>120 Days</b>	February 15, 2014	
<b>Location of Subject</b>	3001 Woodland Ave				
<b>Applicant</b>	Hartley Nature Center		<b>Contact</b>		
<b>Agent</b>	Kaitlin Erpestad		<b>Contact</b>	psdirector@hartleynature.org	
<b>Legal Description</b>	010-2710-00330				
<b>Site Visit Date</b>	November 16, 2013		<b>Sign Notice Date</b>	November 18, 2013	
<b>Neighbor Letter Date</b>	November 20, 2013		<b>Number of Letters Sent</b>	10	

### Proposal

The applicant is requesting a Special Use Permit to operate a preschool in existing space within Hartley Nature Center. This is a special use in areas zoned RR-1.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
<b>Subject</b>	RR-1	Nature Center	Preservation
<b>North</b>	RR-1/R-1	Undeveloped/Park	Preservation
<b>South</b>	RR-1	Undeveloped/Park	Preservation
<b>East</b>	R-1	Undeveloped/Park and Res.	Traditional Neighborhood
<b>West</b>	RR-1	Undeveloped/Park	Traditional Neighborhood/Preservation

### Summary of Code Requirements (reference section with a brief description):

UDC Section 50-37.10. Special Use Permits. The Planning Commission shall approve the application or approve it with modifications if the commission determines that the application meets the following criteria: 1. The application is consistent with the Comprehensive Land Use Plan; 2. The application complies with all applicable provisions of this Chapter, including without limitation any use-specific standards applicable to the proposed use, development or redevelopment, and is consistent with any approved district plan for the area; 3. Without limiting the previous criteria, the commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts on the community.

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**Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):**

Future Land Use Preservation: Lands with substantial restrictions. High natural resource or scenic value, or severe development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls. Examples include: most city parklands and primary viewsheds; shorelands of lake, rivers, streams; wetlands and floodplains; high-value habitat; low-intensity private or public uses.

**Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):**

- 1) The applicant is requesting a Special Use Permit to operate a preschool in existing space within Hartley Nature Center. The proposal will not require any new structures or addition onto the existing building; the activities proposed for the special use permit will take place within existing classrooms (classrooms 3 and 4, about 1,000 square feet).
- 2) The applicant is proposing 4 preschool classes. There will be two morning sessions from 8:30 to 11:30, and two afternoon sessions from 12:30 to 3:30. Sessions will be staggered throughout the week (for example one morning class will meet Mon/Wed/Fri and the other morning class will meet Tue/Thur) Classes will have a maximum of 16 children, 2 teachers, and 1 volunteer.
- 3) There is sufficient off-street parking spaces currently available on site for the preschool use. The classes will be staggered so that there will be a maximum of 16 children at any one time. Parents are typically not expected to remain with the children, just to drop them off and pick them up at the end of class. Planned start and end times for the preschool classes will not interfere with other school groups that visit Hartley for field trips throughout the year.
- 4) There will be no additional exterior lighting installed, or additional mechanical equipment needed. The proposal does not trigger design standard or sustainability requirements.
- 5) Due to the limited size and scope of the preschool use and the natural buffer created by the park, staff do not anticipate any adverse impacts on adjacent properties and are not recommending that any additional buffering or screening be required
- 6) The City is considering amendments to the Hartley Park and Woodland Recreation Area Master Plan. This would identify park improvements over the next 10 years. The proposed SUP is not related to the Master Plan expansion, but it should be noted that the City may want to add 15 more parking spaces to the Nature Center parking lot in the future; but that is a decision to be made by the City, not the applicant.
- 7) No citizen, City Department, or Public Agency comments were received on the Special Use Permit.
- 8) An approved Special Use Permit will expire if the project or activity authorized by the permit is not begun within 1 year.

**Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):**

Based on the above findings, Staff recommends the Planning Commission approve the Special Use Permit, subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to plans dated received October 21, 2013.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

**Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)**

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# City Planning

PL 13-144

## Legend

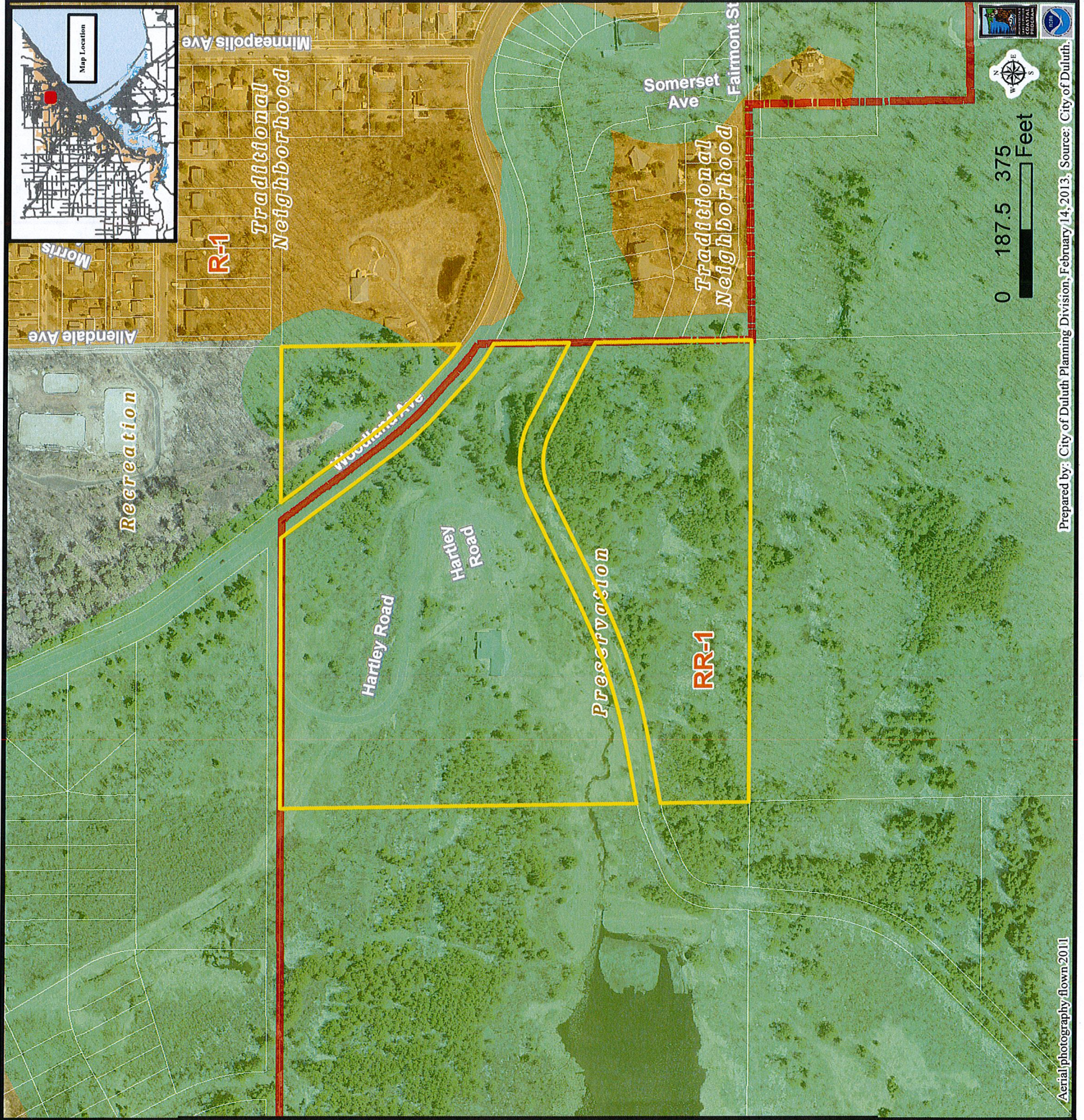
### Zoning Boundaries

Zoning Boundaries

### Future Land Use

- Preservation
- Recreation
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
- Auto Oriented Commercial
- Large-scale Commercial
- Business Park
- Tourism/Entertainment District
- Medical District
- Institutional
- Commercial Waterfront
- Industrial Waterfront
- Light Industrial
- General Industrial
- Transportation and Utilities

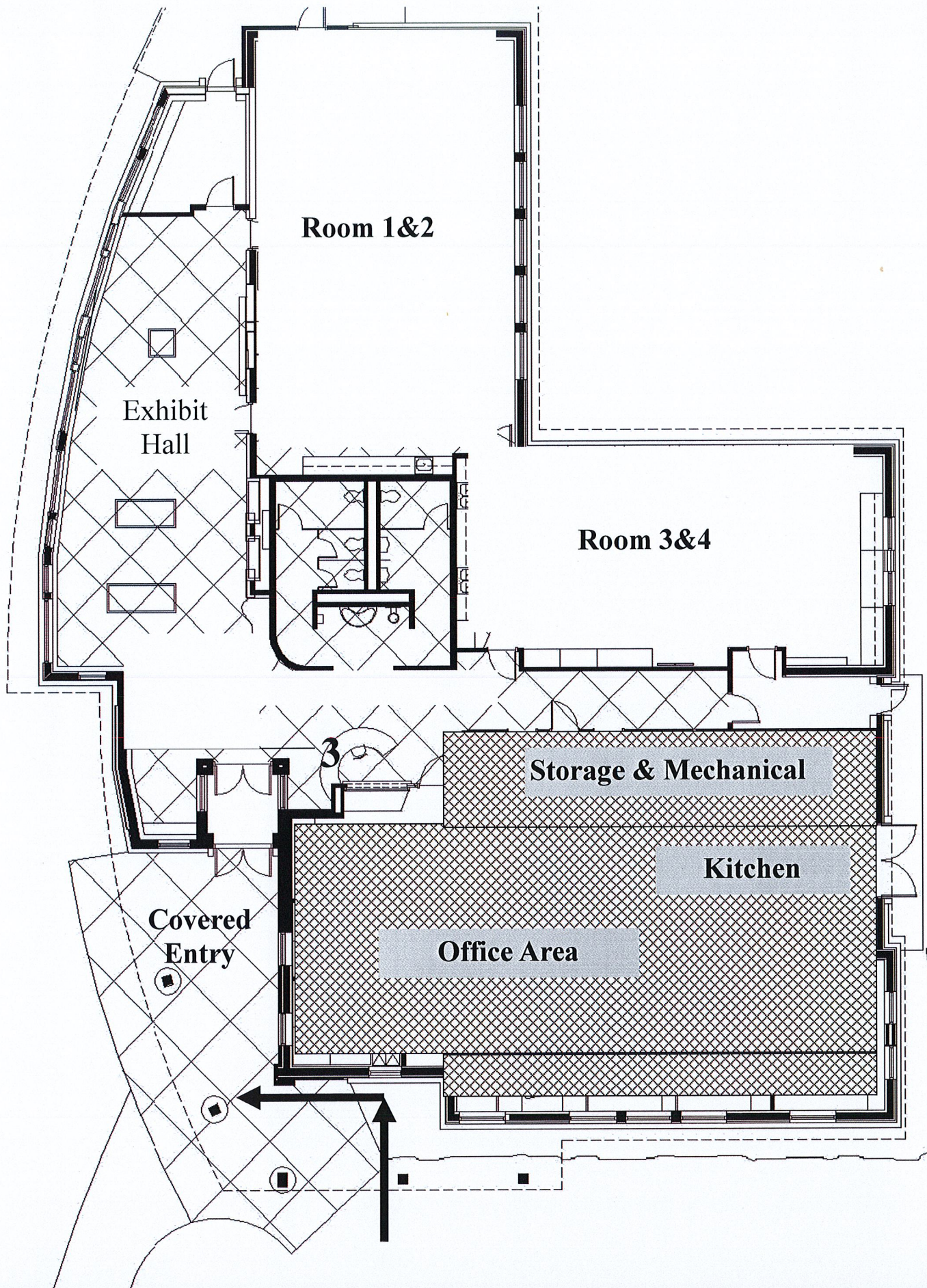
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



Aerial photography flown 2011



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Assembly Area

West  
Exit



Classroom 1

Classroom 2

Restrooms

Exhibit Hall

Classroom 3

Classroom 4



Rear Exit

East  
Exit



Mechanical room

Office

Assembly Area

## Emergency Exit Routes

### LEGEND



Fire Extinguisher



Fire Alarm



Exit Routes



Wheelchair Access

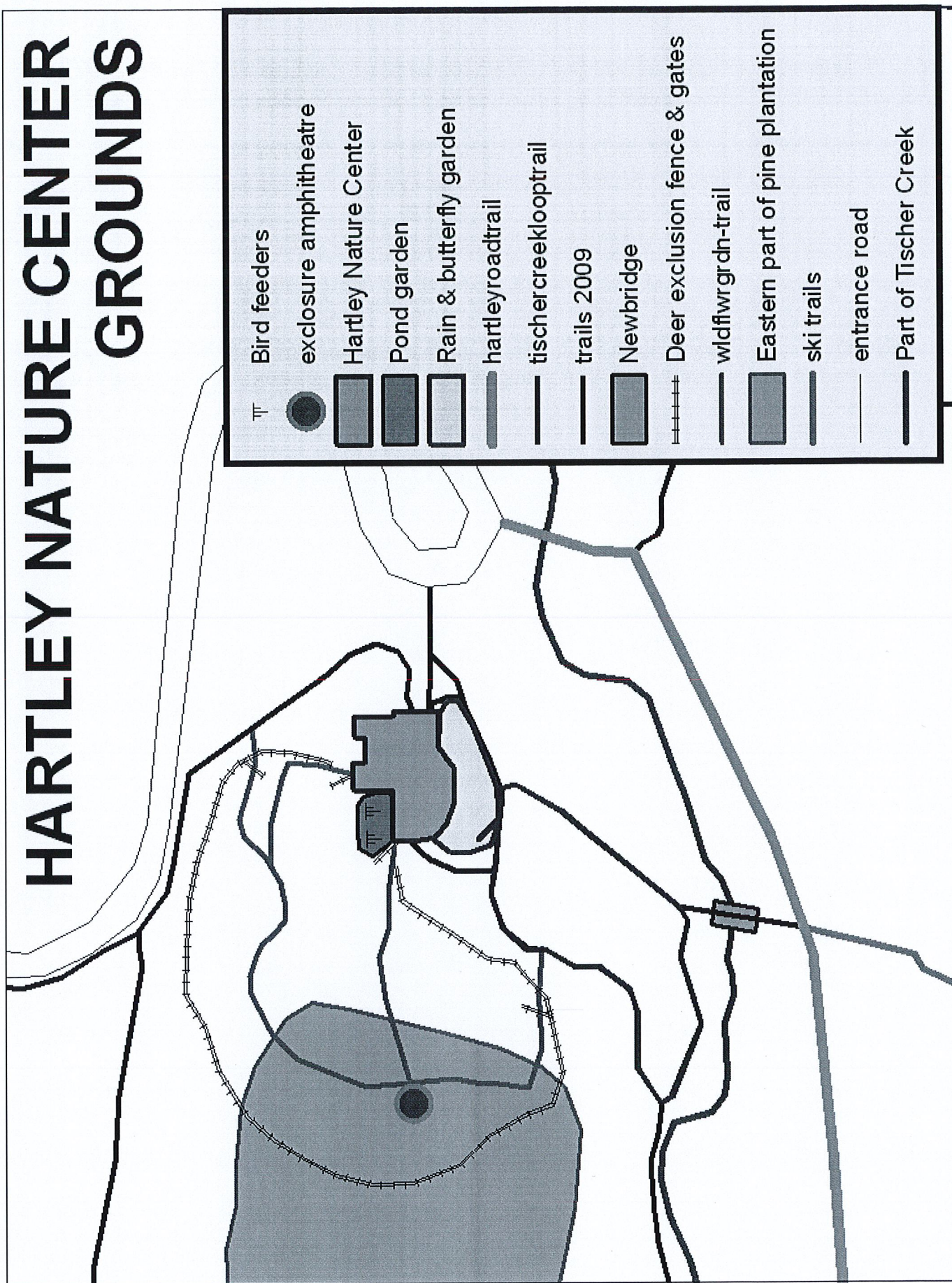


YOU ARE HERE

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# HARTLEY NATURE CENTER GROUNDS



# NATURE CENTER AREA



Existing Parking Lot Configuration    Approx. 45 spaces  
**HARTLEY NATURE CENTER**



# HARTLEY NATURE CENTER

Duluth City Planning Division  
411 W. 1<sup>st</sup> Street  
Room 208  
Duluth, MN 55802-1197

Special Use Permit Application—Cover Letter

October 21, 2013

To Whom It May Concern:

Hartley Nature Center is applying for a Special Use Permit to operate a nature preschool. The preschool will be housed in the existing Hartley Nature Center facility at 3001 Woodland Ave. Duluth, MN 55803.

Hartley Nature Center is dedicated to inspiring life-long connections with nature through education, play, and exploration. The preschool fits directly with Hartley Nature Center's mission and is a natural outgrowth of Hartley's existing programs. The preschool will follow proper licensing procedure and will be licensed by the State of Minnesota.

The opening of a preschool will not require the construction of any buildings. It is not anticipated that the opening of a preschool would require any changes to the current exterior lighting, landscaping, or parking facilities at Hartley Nature Center. The nature center is 7,500 square feet and the preschool classroom (currently called Classrooms 3 and 4) is approximately 950 square feet of the total nature center square footage.

The Hartley Nature Preschool will be open on weekdays September-May and will run between the hours of approximately 8:00am and 4:00pm. At this point we are planning to offer four classes each week, with options for children to attend either two or three days per week. The preschool will serve approximately 16 children per class if at full capacity and the classes will not overlap. The preschool would serve 64 total children, if all four classes are at full capacity. The preschool will have approximately five total staff members if enrollment is at full capacity.

Please see the attached letter for evidence of no impact. Please don't hesitate to contact me should you have any questions or need more information.

Sincerely,

Kaitlin Erpestad

Nature Preschool Director

psdirector@hartleynature.org

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# HARTLEY NATURE CENTER

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## Special Use Permit Application—Evidence of No Impact

October 21, 2013

To Whom It May Concern:

This letter will provide evidence that the creation of a preschool at Hartley Nature Center would not upset adjacent landowners or change the character of the neighborhood.

Hartley Nature Center serves children aged birth-12<sup>th</sup> grade and college groups through school and community programs throughout the school year and the summer. Hartley Nature Center is also open to the public year-round Monday-Saturday and on Sundays in the winter and hosts community events for people of all ages. Hartley Nature Center serves approximately 24,000 visitors per year. Because visiting school groups, community groups, and members of the public are already using the Nature Center and the access road off of Woodland Avenue, the creation of a preschool would not impact the neighborhood through increased traffic or noise.

The City Park is the land adjacent to the Nature Center where this new program would be housed. Hartley Nature Center already brings school and community groups out into the park land closest to the Nature Center. It is not anticipated that the addition of one group of 16 students and 2-3 staff members using Hartley Park each weekday morning and afternoon would alter the experience of neighbors, visitors, or school groups using Hartley Park for recreational and/or educational purposes during any season.

Hartley Nature Center serves school groups of all ages from local and regional schools. The creation of a preschool would not alter the availability of the Nature Center for school group use. The preschool will be located in classrooms 3 and 4 in the Nature Center, which have been used for school groups in the past. In order to maintain the amount of space available to school groups, Hartley Nature Center has constructed a yurt near the Nature Center, which will be used for classroom space. The preschool sessions will begin before the arrival of and end after the departure of typically scheduled school programs so as to not disrupt school groups' use of Hartley Nature Center.

Please don't hesitate to contact me should you have any questions or need more information.

*Kaitlin Erpestad*  
Sincerely,

Kaitlin Erpestad  
Nature Preschool Director  
psdirector@hartleynature.org

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# WHY A MASTER PLAN?

## Why complete a Master Plan for Hartley Park?

- » Validates Regional Park designation and eligibility for legacy funding dollars
- » Ensures proposed recreational activities and amenities are compatible within the park's natural resource environment
- » Integrates public comment and feedback into the master planning process
- » Establishes a framework plan for implementing park improvements and managing natural resources over the next 5 - 10 years
- » Identifies cost estimates for determining funding needs

## Hartley Park and Woodland Recreation Area Master Plan

### Public Open House # 2

November 20, 2013

CITY OF DULUTH, MINNESOTA

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